

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks.

Claims 1-35, 37, 39-41 and 44-47 are pending in the application, with claims 1, 23, 31 and 37 being independent. Claims 36, 38 and 42-43 were previously canceled. Claims 1-7, 10-11, 13, 19-21, 23-31, 37, 41 and 44 are amended herein simply to provide clarification and/or to correct informalities noted by the Applicant, and are not to overcome prior art or any other objections. Each of the objections and rejections in the Office Action are addressed in the following remarks. Support for the claim amendments and additions can be found in the original disclosure. No new matter has been added.

Applicant's amendments and remarks after Final are appropriate under 37 C.F.R. §1.116 because they address the Office's remarks in the Final Action, and thus could not have been presented earlier. In addition, Applicant respectfully requests that the amendments and remarks be entered to place the application in condition for allowance or in better form for appeal.

§ 101 REJECTIONS

Claim 23 stands rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant respectfully traverses the rejection. Claim 23 has been amended to recite "an electronic device including an electronic display." Applicant submits that amended claim 23 and its dependent claims are directory to statutory subject matter.

## **§ 103 REJECTIONS**

Claims 1-35, 37, 39-41 and 44-47 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 7275987 to Shimakawa et al. ("Shimakawa") in view of U.S. Patent No. 6304259 to DeStefano et. al. ("DeStefano"). Applicant respectfully traverses the rejection. Nevertheless, without conceding the propriety of the rejection and in the interest of expediting allowance of the application, claims 1, 5, 23-31, 37 and 41 have been amended and are believed to be allowable.

**Independent claim 1**, as presently presented, is directed to collecting virtual objects, indicating the objects as being possessed, and recites, among other things, "filtering in the computer game the collected plurality of virtual objects based on the virtual objects attributes assigned during play of the computer game; and displaying on the computer display the filtered collected plurality of objects in the game inventory." (Emphasis added)

**Independent claim 23**, as presently presented, is directed to collecting virtual objects, indicating the objects as being possessed, and recites, among other things, "each displayed virtual filtered item icon represents at least one of the plurality of collected and hidden virtual objects that includes the attributes assigned during play of the computer game and filtered based on queries associated with the inventory filter icon." (Emphasis added)

**Independent claim 31**, as presently presented, is directed to collecting virtual objects, indicating the objects as being possessed, and recites, among other things, "apply the selected filter to the inventory package based on the at least one of the attributes assigned during play of the computer game; and display the virtual objects hidden in the inventory package with the applied selected filter." (Emphasis added)

**Independent claim 37**, as presently presented, is directed to collecting virtual objects, indicating the objects as being possessed, and recites, among other things, "a process for providing an inventory filter icon that can be selected by the plurality of game

players to filter attributes of the plurality of virtual objects assigned during running of the computer game to yield a selected inventoried package.” (Emphasis added)

Shimakawa is directed to a virtual world generated using a server computer. Shimakawa discloses displaying the virtual world on a display screen and allowing users to participate in playing in the virtual world. The users use avatars, corresponding to respective participants, which are displayed as characters (c3: 40-46). Each character in the virtual world is capable of using items, such as a car or a telephone (c3:54-60), and can possess an object (C4:60-66). However, Shimakawa fails to disclose or suggest “filtering virtual object attributes assigned during play of the computer game,” and “displaying the filtered collected plurality of objects in the game inventory” as presently recited in independent claims 1, 23, 31, and 37.

DeStefano was cited for its alleged teaching of a “information elements or virtual objects of the body of knowledge or game inventory are filtered via a lens based on the level identifier or attribute of the information elements,” and causing “the filtering of the information elements based on input from the user associated with a particular lens that is associated with the information elements of the body of knowledge.” (Office Action, pages 5, 6, and 8). However, DeStefano fails to remedy the deficiencies in Shimakawa noted above with respect to claims 1, 23, 31, and 37.

For example, DeStefano fails to disclose or suggest:

“filtering virtual object attributes assigned during play of the computer game,” as presently recited in claim 1;

“each displayed virtual filtered item icon represents at least one of the plurality of collected and hidden virtual objects that includes the attributes assigned during play of

the computer game and filtered based on queries associated with the inventory filter icon” as presently recited in claim 23;

“apply the selected filter to the inventory package based on the at least one of the attributes assigned during play of the computer game” as presently recited in claim 31; and

“a process for providing an inventory filter icon that can be selected by the plurality of game players to filter attributes of the plurality of virtual objects assigned during running of the computer game to yield a selected inventoried package” as presently recited in claim 37. (Emphasis added)

Thus, Shimakawa and DeStefano, whether taken alone or in combination (assuming for the sake of argument that they can be combined), fail to disclose or suggest the features of claims 1, 23, 31 and 37. Specifically DeStefano provides filtering based on level of abstractions in a body of knowledge. However there is no showing or suggestion that virtual objects collected in a game inventory is a “body of knowledge.” Further, the filtering based on different levels of abstraction as taught by DeStefano is different from filtering based on an object attribute assigned during play of a computer game.

The office stated on page 6 of the response that “an indication of a plurality of virtual objects obtained as possessions and hidden in a virtual bag” as recited in claim 37 is obvious. Specifically the office stated that holding the virtual items in a virtual bag rather than carrying the items by hand would have been an obvious design choice. Applicant submits that items held in a virtual bag are hidden from view, and items that are held by hand are in plain view of the game player. Applicant submits that if the office

maintains the position that a virtual bag that holds objects hidden from view is a obvious design choice than applicant requests that the office place an affidavit or other factual evidence into the record to backup this assertion or withdraw the rejection.

Accordingly, in view of the submitted remarks, the Applicant respectfully submits that amended independent claims 1, 23, 31 and 37 are patentable over the proposed combination of references.

**Dependent claims 2-22, 44-47; 24-30; 32-35; and 39-41** respectively depend from independent claims 1, 23, 31 and 37 directly or indirectly, and are patentable over the proposed combination of references by virtue of this dependency, as well as for additional features that they recite. Applicant also respectfully requests individual consideration of each dependent claim.

Specifically applicant submits that DeStefano does not filter “with the first and second filter the obtained plurality of virtual objects based on their attributes” as recited in **claim 3**. Applicant submits that DeStefano does not teach a game object attribute filter but rather discloses filtering based on a level of abstraction.

Applicant submits that neither Shimakawa nor DeStefano discloses “virtual objects are indicated as being possessed using a virtual bag” as recited in **claim 21**. Applicant submits that neither Shimakawa nor DeStefano discloses a virtual bag that indicates possession of objects.

Applicant submits that neither Shimakawa nor DeStefano discloses “altering the attribute of the first virtual item to enable the second filter to filter the virtual item and to disable the first filter from filtering the first virtual item.” as recited in **claim 22** (emphasis

added). Applicant submits that neither Shimakawa nor DeStefano discloses altering an attribute of a virtual item to disable a first filter and enable a second filter to filter the item.

Applicant submits that neither Shimakawa nor DeStefano discloses “determining virtual objects that are to be sold and/or bartered, determining virtual objects that are weapons against monsters, and determining virtual objects that are constructed of a particular material.” as recited in **claim 47**. Applicant submits that neither Shimakawa nor DeStefano discloses filtering based on the specific cited recited attributes in claim 47.

Therefore, for at least the reasons set forth above, it is respectfully submitted that the present rejection under 35 U.S.C. §103(a) should be reconsidered and withdrawn.

**CONCLUSION**

For at least the foregoing reasons, claims 1-35, 37, 39-41 and 44-47 are in condition for allowance. Applicant respectfully requests reconsideration and entry of the claim amendments, withdrawal of the rejections and an early notice of allowance.

The arguments and amendments presented herein were necessitated by the most recent Office Action, and could not have been presented previously because the final Office Action rejected claims based on new art not previously of record.

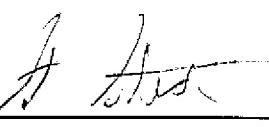
If any issue remains unresolved that would prevent allowance of this case, **Applicant requests that the Examiner contact the undersigned attorney to resolve the issue.**

Respectfully Submitted,

Lee & Hayes, PLLC

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